



Rep. Jehan A. Gordon

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LRB097 18258 PJG 70221 a

1 AMENDMENT TO SENATE BILL 3743

2 AMENDMENT NO. _____. Amend Senate Bill 3743 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. If and only if House Bill 4586 of the 97th
5 General Assembly becomes law, the Illinois Municipal Code is
6 amended by adding Section 8-11-4.1 as follows:

7 (65 ILCS 5/8-11-4.1 new)

8 Sec. 8-11-4.1. Local government initiative petition and
9 referendum to support Veteran Conservation Corps.

10 (a) In support of the veterans of our nation's armed
11 forces, the electors of certain municipalities may, by
12 initiative petition and binding referendum in the manner
13 prescribed by this Section, adopt an ordinance to support the
14 Illinois Veteran Conservation Corps by imposing a surcharge in
15 addition to a vehicle tax or license fee authorized under
16 Section 8-11-4 of this Code. Except as otherwise provided in

1 this Section, a petition filed under this Section shall comply
2 with Article 28 of the Election Code.

3 (b) A \$1 surcharge for the purpose of providing funding for
4 the Illinois Veteran Conservation Corps may be charged in
5 addition to any other vehicle tax or license fee authorized
6 under Section 8-11-4 of this Code, provided the municipality
7 enacts an ordinance under a binding referendum approved by
8 electors in accordance with this Section. A referendum under
9 this Section shall be initiated by a petition signed by a
10 number of electors equal to at least 2% of the total votes cast
11 for Governor at the last election in the municipality. The
12 petition shall be signed by the petitioning electors not more
13 than 12 months preceding the election, and shall be filed with
14 the election authority at least 92 days before the election.

15 (c) Upon receipt of petitions containing sufficient
16 signatures, the election official shall cause to be printed on
17 the ballot a question appearing in substantially the following
18 form:

19 -----
20 Shall (name of municipality) add a
21 \$1 surcharge to the cost of the vehicle sticker
22 in order to provide funding for the Illinois YES
23 Veteran Conservation Corps, a statewide program
24 that helps veterans of the military obtain --
25 employment and job training projects related to

1 conserving natural resources, improving No
2 environmental health, and beautifying public
3 spaces?

4 -----
5 (d) If a majority of voters approve the surcharge, the
6 ordinance providing for the surcharge shall be enacted by the
7 corporate authorities of the municipality as soon as possible,
8 but in no case later than 7 days following the approval of the
9 referendum. The ordinance shall be in all material respects
10 identical to a model ordinance which shall be prescribed by
11 rule by the Illinois Department of Veterans' Affairs. The model
12 ordinance shall impose a \$1 surcharge, shall specify that the
13 funds derived from the surcharge shall be allocated for the
14 exclusive use of the Illinois Veteran Conservation Corps, and
15 shall contain other related provisions as determined by the
16 Illinois Department of Veterans' Affairs. Nothing in this
17 amendatory Act of the 97th General Assembly shall be construed
18 to prevent a municipality or other entity from dedicating
19 monetary resources or in-kind contributions to the Illinois
20 Veteran Conservation Corps in addition to the \$1 surcharge
21 provided for by this Section, subject to all applicable laws,
22 rules, and regulations.

23 (e) The corporate authorities of a municipality under this
24 Section may, by a majority vote of the municipality's governing
25 body, direct the election official to cause to be printed on

1 the ballot the question contained in subsection (c) of this
2 Section.

3 (f) An ordinance adopted under this Section may not be
4 repealed or amended within 4 years after adoption, except by
5 vote of the electors. The corporate authorities of the
6 municipality may under Article 28 of the Election Code submit
7 to its electorate a proposition to repeal or amend an ordinance
8 adopted under this Section.

9 Section 10. If and only if House Bill 4586 of the 97th
10 General Assembly becomes law, the Illinois Vehicle Code is
11 amended by changing Section 2-121 as follows:

12 (625 ILCS 5/2-121) (from Ch. 95 1/2, par. 2-121)

13 Sec. 2-121. Local Government tax.

14 (a) No owner of a vehicle who shall have obtained a
15 certificate from the Secretary of State and paid the
16 registration fee and tax as provided in this Act, shall be
17 required by any county, city, village, incorporated town, or
18 other municipal corporation within the State other than a
19 county, city, village, incorporated town, or other municipal
20 corporation in which the owner resides or in which a vehicle
21 has its situs or base, to pay any tax or license fee for the use
22 of the vehicle. The county, city, village, or incorporated town
23 in which the owner resides or in which a vehicle has its situs
24 or base, except commercial motor vehicles as defined in

1 paragraph (2) of Section 18b-101 that are registered under
2 Section 3-402.1, may impose a tax, surcharge, or license fee as
3 is provided in Sections ~~Section~~ 8-11-4 and 8-11-4.1 of the
4 Illinois Municipal Code or a similar county ordinance that
5 imposes a tax, surcharge, or license fee on an owner of a
6 vehicle for the use of the vehicle.

7 Nor shall the owner be required to display upon his vehicle
8 any plate or tax or license number other than that issued by
9 the Secretary of State or by the county, city, village,
10 incorporated town, or other municipal corporation within the
11 State within which the owner resides or in which a vehicle has
12 its situs or base. However, a resident owner shall not be
13 required to display on his vehicle, the plate or tax or license
14 number issued by the county, city, village, or incorporated
15 town of his residence if his vehicle is displaying the plate or
16 tax or license number issued by the place wherein the vehicle
17 has its situs or base.

18 This subsection (a) applies to ordinances enacted by any
19 county, city, village, incorporated town, or other municipal
20 corporation. Any provision of an ordinance enacted by a county,
21 city, village, incorporated town, or other municipal
22 corporation that is inconsistent with this subsection (a) is
23 null and void.

24 (b) No county, city, village, incorporated town, or other
25 municipal corporation, including a home rule unit, may impose a
26 tax or license fee under Section 8-11-4 of the Illinois

1 Municipal Code, or impose a similar tax or license fee under
2 home rule powers, upon any commercial vehicle as defined in
3 paragraph (2) of Section 18b-101 that is registered under
4 Section 3-402.1. This subsection (b) is a denial and limitation
5 of home rule powers and functions under subsection (g) of
6 Section 6 of Article VII of the Illinois Constitution.
7 (Source: P.A. 90-433, eff. 8-16-97.)

8 Section 99. Effective date. This Act takes effect July 1,
9 2012."